

**PROVISO**  
**SUBCOMMITTEE**  
**RECOMMENDATIONS**

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**ECONOMIC DEVELOPMENT**  
**AND**  
**NATURAL RESOURCES**

**PROVISO SUBCOMMITTEE  
ECONOMIC DEVELOPMENT AND NATURAL RESOURCES  
RECOMMENDATIONS FOR FY 2011-12  
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**SECTION 32 - L32-HOUSING FINANCE AND DEVELOPMENT AUTHORITY**

**32.4**     **AMEND** (Allocation of Indirect Cost Recoveries) Directs the authority to deposit indirect cost recoveries for the authority's portion of the FY 2010-11 Statewide Central Services Cost Allocation Plan (SWCAP) into the general fund and to retain recoveries in excess of the amount deposited in the general fund.

**PROVISO SUBCOMMITTEE RECOMMENDATION:** AMEND proviso to change Fiscal Year "2010-11" to "2011-12." Fiscal Impact: No impact on the General Fund.

**32.4.** (HFDA: Allocation of Indirect Cost Recoveries) The authority shall deposit in the state general fund indirect cost recoveries for the authority's portion of the Fiscal Year ~~2010-11~~ 2011-12 Statewide Central Services Cost Allocation Plan (SWCAP). The authority shall retain recoveries in excess of the SWCAP amount to be deposited in the state general fund.

**SECTION 33 - P12-FORESTRY COMMISSION**

**33.cp**     **ADD** (FC: Compensatory Payment) **PROVISO SUBCOMMITTEE RECOMMENDATION:** ADD new proviso to direct that if the Governor declares a State of Emergency, Forestry Commission exempt employees may be paid for actual hours worked in lieu of accruing compensatory time, at the discretion of the agency director, and if funds are available. Fiscal Impact: No impact on the General Fund.

*33.cp. (FC: Compensatory Payment) In the event a State of Emergency is declared by the Governor, exempt employees of the Forestry Commission may be paid for actual hours worked in lieu of accruing compensatory time, at the discretion of the agency director, and providing funds are available.*

**SECTION 35 - P20-CLEMSON UNIVERSITY - PSA**

**35.lp**     **ADD** (Landplaster Inspection Fee) **PROVISO SUBCOMMITTEE RECOMMENDATION:** ADD new proviso to direct that for the purpose of regulating landplaster (gypsum) as it is applied to land for crop production, it shall be defined as a product consisting chiefly of calcium sulfate with two combined water (CaSO<sub>4</sub> 2H<sub>2</sub>O) and is incapable of neutralizing soil acidity. Direct that it shall contain not less than seventy percent (70%) CaSO<sub>4</sub> 2H<sub>2</sub>O. Direct that all registrants of landplaster who sell or distribute in this state that were previously required to pay Clemson-PSA an inspection fee of \$1.50 per ton shall now pay fifty cents for each ton sold. Authorize these funds to be retained, expended, and carried forward to maintain its programs. Fiscal Impact: BEA states that since Liming Material program fees do not apply to the state's General Fund there would be no impact on General Fund revenue. Reduction in the per ton fee would net an annual loss of revenue for Clemson of approximately \$65,000. Requested by Clemson University-PSA.

*35.lp. (CU-PSA: Landplaster Inspection Fee) For the purpose of regulating its use as applied to land for crop production, landplaster (gypsum), shall be defined as a product consisting chiefly of calcium sulfate with two combined water (CaSO<sub>4</sub> 2H<sub>2</sub>O) and is incapable of neutralizing soil acidity. It shall contain not less than seventy percent (70%) CaSO<sub>4</sub> 2H<sub>2</sub>O. All registrants of landplaster who sell or distribute in this state that previously were required to pay an inspection fee of \$1.50 per ton shall now pay to Clemson University Regulatory Services*

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*an inspection fee of fifty cents for each ton sold. Clemson University-PSA may retain, expend, and carry forward these funds from the prior fiscal year into the current fiscal year to maintain its programs.*

**SECTION 40 - P32 - DEPARTMENT OF COMMERCE**

**40.2 AMEND** (Economic Dev. Coordinating Council - GIS Carry Forward) Authorizes the council, from funds set aside by Section 12-28-2910 [SOUTH CAROLINA COORDINATING COUNCIL FOR ECONOMIC DEVELOPMENT; ESTABLISHING PROJECT PRIORITIES; DISPOSITION OF PAYMENTS], to use up to \$60,000 to support actual operating expenses of the Geographic Information Systems Program to support business recruitment and retention, as approved by the council. Authorize unexpended funds to be carried forward and used for the same purpose.

**PROVISO SUBCOMMITTEE RECOMMENDATION:** AMEND proviso to authorize the council to use up to 10% of the funds for actual operating expense to support program administration costs and business recruitment and retention and maintain the use of up to \$60,000 for the GIS program. *Establishes a percentage of the fund which can be used for business recruitment and retention.* Fiscal Impact: No impact on the General Fund. Requested by Department of Commerce.

**40.2.** (CMRC: Economic Dev. Coordinating Council - ~~GIS Carry Forward~~ *Set Aside Fund*) From the amount set aside in Section 12-28-2910, the council is authorized to use up to ten percent of such amount for actual operating expenses in support of administrative program costs and business recruitment and retention and up to \$60,000 to support the Geographic Information Systems (GIS) program ~~for actual operating expenses in support of business recruitment and retention~~, as approved by council. Any balance on June thirtieth of the prior fiscal year may be carried forward and expended for the same purposes in the current fiscal year.

**40.10 AMEND** (Closing Fund) Direct \$7,000,000 is appropriated for the Closing fund for competitive recruitment purposes to be used as approved by the Coordinating Council for Economic Development and authorizes unexpended funds to be carried forward and used for the same purpose.

**PROVISO SUBCOMMITTEE RECOMMENDATION:** AMEND proviso to delete specific reference to \$7,000,000. *The amount the General Assembly funds could change from year to year.* Fiscal Impact: No impact on the General Fund. Requested by Department of Commerce.

**40.10.** (CMRC: Closing Fund) In order to encourage and facilitate economic development, ~~the \$7,000,000 funds~~ appropriated for the Closing Fund for competitive recruitment purposes shall be used as approved by the Coordinating Council for Economic Development. Any unexpended ~~balance on June thirtieth~~, at the end of the prior fiscal year may be carried forward and expended in the current fiscal year by the Department of Commerce for the same purposes.

**40.12 DELETE** (Economic Development Organizations) Directs the department to use \$2,700,000 of the \$3,000,000 appropriated for Regional Economic Development Organizations in FY 07-08 to provide funds to designated organizations and counties and provides a mechanism by which the funds should be distributed. Requires a 1:1 private fund match and that the receiving

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organization must certify that the private funds match are new dollars specifically designated for this purpose. Directs organizations receiving the funds to provide an annual expenditure report and outcome measures to the Chairmen of the Senate Finance and House Ways and Means Committees and the Secretary of Commerce by November 1<sup>st</sup>. Directs that any Regional Economic Development Organizations funds remaining in the department's accounts at the end of FY 09-10 shall be transferred to the General Fund.

**PROVISO SUBCOMMITTEE RECOMMENDATION:** DELETE proviso. *All funds have been expended.* Fiscal Impact: No impact on the General Fund. Requested by Department of Commerce.

~~40.12. (CMRC: Economic Development Organizations) The Department of Commerce shall utilize the balance of the \$2,700,000 of the \$3,000,000 appropriated in the Fiscal Year 2007-08 Appropriation Act for Regional Economic Development Organizations to provide funds to the following six economic development organizations that have not already drawn down the maximum of \$450,000:~~

- ~~(1) Central SC Economic Development Alliance;~~
- ~~(2) Charleston Regional Development Alliance;~~
- ~~(3) Economic Development Partnership;~~
- ~~(4) North Eastern Strategic Alliance (NESAs);~~
- ~~(5) Southern Carolina Alliance; and~~
- ~~(6) Upstate Alliance.~~

~~In addition, from the balance of the \$2,700,000 the Lowcountry Economic Alliance shall receive \$150,000.~~

~~For entities that have not already drawn down the maximum of \$450,000 as authorized in Act 117 of 2007, the remaining funds must be disbursed equally to each organization with a maximum amount of \$420,000. Each dollar of state funds must be matched with one dollar of private funds. The organization receiving state funds must certify that the private funds are new dollars specifically designated for the purpose of matching state funds and have not been previously allocated or designated for economic development.~~

~~The remaining \$300,000 shall be provided to Chester County, Lancaster County, Union County, and York County provided they meet the requirements established above.~~

~~Upon receipt of the request for the funds and certification of the matching funds, the Department of Commerce shall disburse the funds to the requesting organization.~~

~~Funds recipients shall provide an annual report by November first, to the Chairmen of the Senate Finance Committee and the House Ways and Means Committee and the Secretary of Commerce on the expenditure of the funds and on the outcome measures.~~

~~Any funds remaining in the department's accounts for Regional Economic Development Organizations at the end of Fiscal Year 2009-10 shall be transferred to the General Fund.~~

**40.15 DELETE** (Civil Air Patrol Transfer) Directs the department to transfer \$50,000 of the funds appropriated to or authorized for the department to the Adjutant General's Office for the Civil Air Patrol.

**PROVISO SUBCOMMITTEE RECOMMENDATION:** DELETE proviso. *Transfers resources to a program which does not contribute toward the department's mission.* Fiscal Impact: No impact on the General Fund. Deletion will provide that \$50,000 of council funds are available to use as incentives. Requested by Department of Commerce.

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**40.15.** (CMRC: Civil Air Patrol Transfer) ~~Of the funds appropriated to or authorized for the Department of Commerce, the department shall transfer \$50,000 to the Adjutant's General Office for the Civil Air Patrol.~~

**SECTION 69 - Y14 - STATE PORTS AUTHORITY**

**69.1** **AMEND** (Charleston Cooper River Bridge Project) Directs the State Ports Authority to pay the State Transportation Infrastructure Bank \$1,000,000 before 6/30/11 from other general fund or operating fund surplus and any funds appropriated to the authority in prior fiscal years that are unspent as of 7/1/10, to continue the Charleston Cooper River Bridge Project.

**PROVISO SUBCOMMITTEE RECOMMENDATION:** AMEND proviso to change "2010" to "2011" and "2011" to "2012." *Meets the obligations of the State Ports Authority and the State Infrastructure Bank's financial agreement.* Fiscal Impact: No impact on the General Fund. The funds used to pay the Transportation Infrastructure Bank are operating funds of the Ports Authority, none of which are state appropriated funds. Generates \$1,000,000 for the State Transportation Infrastructure Bank. Per the Ports Authority, the commitment of the agency is to provide \$1,000,000 per year for 25 years, until 2027.

**69.1.** (SPA: Charleston Cooper River Bridge Project) The State Ports Authority shall, from other general fund or operating fund surplus available and any funds appropriated to the authority in prior fiscal years and left unexpended as of July 1, ~~2010~~ 2011, pay to the State Transportation Infrastructure Bank one million dollars before June 30, ~~2011~~ 2012, to continue the Charleston Cooper River Bridge Project.

**69.gp** **ADD** (Georgetown Promotion) **PROVISO SUBCOMMITTEE RECOMMENDATION:** ADD new proviso to direct the State Ports Authority to continue to market the Port of Georgetown facility for promotion and development of renewable energy in the state. Direct other public entities in the state that are responsible for promoting economic development and renewable energy to continue to work with the State Ports Authority to raise awareness of the Port of Georgetown as a viable link in the energy infrastructure chain. Fiscal Impact: No impact on the General Fund.

*69.gp. (SPA: Georgetown Promotion) The State Ports Authority shall continue to market the Port of Georgetown facility for the promotion and development of renewable energy in South Carolina. Other public entities in South Carolina responsible for promoting economic development and renewable energy shall continue to work with the State Ports Authority to raise awareness of the Port of Georgetown as a viable link in the energy infrastructure chain.*

**69.gtm** **ADD** (Georgetown Port Marketing) **PROVISO SUBCOMMITTEE RECOMMENDATION:** ADD new proviso to direct the State Ports Authority to increase the amount of funds expended for marketing the Port of Georgetown in FY 11-12 by 15% above the amount expended in FY 10-11. Fiscal Impact: No impact on the General Fund.

*69.gtm. (SPA: Georgetown Port Marketing) The State Ports Authority must increase its Fiscal Year 2011-12 marketing expenditures for the Port of Georgetown by fifteen percent above the Fiscal Year 2010-11 level.*

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**SECTION 81 - R44-DEPARTMENT OF REVENUE**

**80.apt**    **ADD** (Airline Property Tax) **PROVISO SUBCOMMITTEE RECOMMENDATION:** ADD new proviso to direct the Department of Revenue to submit a report to the Chairmen of the Senate Finance and House Ways and Means Committees by January 10, 2012, that provides the methodology used to determine the property tax collected on aircraft under Title 12, Chapter 37, Article 19 [ASSESSMENT OF PROPERTY TAXES: AIRCRAFT]. Fiscal Impact: No impact on the General Fund.

*81.apt. (DOR: Airline Property Tax) From the fund appropriated to and/or authorized for the Department of Revenue, the department shall report on the methodology used to determine the property tax collected on aircraft under Title 12, Chapter 37, Article 19 of the 1976 Code. The department shall submit the report to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee no later than January 10, 2012.*